

CITY COUNCIL GENERAL PLAN AGENDA

AUGUST 19, 2003

**2003 SUMMER HEARING OF THE GENERAL
PLAN**

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
TERRY O. GREGORY
DAVID D. CORTESE
JUDY CHIRCO
PAT DANDO, VICE MAYOR

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Economic and Neighborhood Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**

9:05 p.m. - Public Hearings, Council Chambers, City Hall

Absent Council Members: None.

1 CONSENT CALENDAR

1.1 Public Hearing on General Plan Text Amendment for property located at the north side of McKean Road, approximately 1,500 feet westerly of Fortini Road on a 35.4-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to allow interim recreational uses on public properties within the South Almaden Valley Urban Reserve and specifically for the property located at the north side of McKean Road, approximately 1,500 feet westerly of Fortini Road on a 35.4-acre site. (San Jose Unified School District, Owner/City Council, Applicant). CEQA: Environmental Impact Report in preparation.

(Continued from 11/6/01 – Item 1.37 (a) et al., and 4/15/03 – Item 1.1)

GPT 01-10-02 (previously GP01-T-31) – District 10

Dropped – To be renoticed.

1.2 Public Hearing on General Plan Text Amendment request to amend the definition of the Transit Corridor Residential (20+ Dwelling Units Per Acre (DU/AC)) designation.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the definition of the Transit Corridor Residential (20+ DU/AC) land use designation. (City of San José, Applicant). CEQA: San Jose 2020 General Plan Environmental Impact Report, Resolution No. 65459.

GP 03-T-06 – Citywide

Continued to Fall 2003 General Plan Hearing.

2 PUBLIC HEARINGS

2.1 Public Hearing on General Plan Amendment for property located on a portion of the Union Pacific Railroad/Valley Transportation Authority right-of-way between Interstate 280 and Julian Street on a 20.3-acre site.

- (a) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium Density Residential (8-16 Dwelling Units Per Acre (DU/AC) on 7.7 acres and Light Industrial on 2.6 acres to Public Park/Open Space on approximately 10.3 acres (1.2-mile segment) of Union Pacific Railroad and Valley Transportation Authority railroad right-of-way located between Interstate 280 to 135 feet southerly of East Santa Clara Street including a Floating Public Park designation on the portion of the site adjacent to future Martin Park; apply the Transit Mall designation on 10.0 acres (0.4-mile segment) of Valley Transportation Authority railroad and public street rights-of-way located on both sides of 28th Street between Julian Street and 135 feet southerly of East Santa Clara Street. (Valley Transportation Authority (VTA) and Union Pacific Railroad, Owners/City of San José, Applicant). CEQA: Mitigated Negative Declaration, File No. GP03-03-07. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends Public Park and Open Space on an approximately 4.5 acre segment of the Valley Transportation Authority railroad right-of-way located between East William Street and 135 feet southerly of East Santa Clara Street; apply the Transit Mall designation along a 10.0 acre segment of Valley Transportation Authority railroad right-of-way located on both sides of 28th Street between Julian Street and 135 feet southerly of East Santa Clara Street. (6-0-1; Levy Absent).

SNI: Five Wounds/Brookwood Terrace.

GP 03-03-07 – District 3

- (b) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to delete a 0.40-mile segment of the Five Wounds/Brookwood Terrace Scenic Trail located between Julian Street and 135 feet south of East Santa Clara Street from the Scenic Routes and Trails Diagram. [Valley Transportation Authority (VTA) and Union Pacific Railroad, Owners/City of San José, Applicant]. CEQA: Mitigated Negative Declaration, File No. GP03-03-07. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1; Levy Absent).

SNI: Five Wounds/Brookwood Terrace.

GPT 03-03-07 – District 3

Staff and Planning Commission recommendation was tentatively approved. Staff directed to designate a floating park on a 1.2 miles segment of the Union Pacific Railroad/Valley Transportation Authority road located between Interstate 280 and 135 feet southerly of East Santa Clara Street, replacing the Staff recommendation for a public park open space designation.

Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.2 Public Hearing on General Plan Amendment for property located in the area generally bounded by Park Avenue, West San Fernando Street, Los Gatos Creek, Delmas Avenue, and State Route 87 on a 6.6-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Residential Support for the Core Area [25+ Dwelling Units Per Acre (DU/AC)] to Medium Density Residential (8-16 DU/AC) for property located in the area generally bounded by Park Avenue, West San Fernando Street, Los Gatos Creek, Delmas Avenue, and State Route 87 on a 6.6-acre site. (Various Owners/City of San José, Applicant). CEQA: Mitigated Negative Declaration, File No. GP03-03-09. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends no change to the General Plan (5-1-1; Zito Opposed, Levy Absent).

SNI: Delmas Park.

GP 03-03-09 - District: 3 **NOTE: ITEM 2.2 AND 2.3 HEARD TOGETHER.**

Memorandum from Council Member Chavez, dated August 18, 2003, and Staff and Planning Commission recommendation was tentatively approved.

Vote: 11-0-0-0.

2.3 Public Hearing on General Plan Amendment for property located in the area generally bounded by Interstate 280, Columbia/West San Carlos Street, Bird Avenue, Delmas Avenue, and State Route 87 on a 17.1-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Residential Support for the Core Area (25+ Dwelling Units per Acre (DU/AC)) to Medium Density Residential (8-16 DU/AC) on approximately 15.6 acres, Neighborhood/Community Commercial on approximately 1.1 acres, Public/Quasi-Public on 0.4 acre and Floating Public Park/Open Space for property located in the area generally bounded by Interstate 280, Columbia/West San Carlos Street, Bird Avenue, Delmas Avenue, and State Route 87 on a 17.1-acre site. (Various Owners/City of San José, Applicant). CEQA: Mitigated Negative Declaration, File No. GP03-03-10. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends no change to the General Plan (6-0-1; Levy Absent).

SNI: Delmas Park.

GP 03-03-10 – District 3 **NOTE: ITEM 2.3 AND 2.2 HEARD TOGETHER.**

Memorandum from Council Member Chavez, dated August 18, 2003, and Staff and Planning Commission recommendations was tentatively approved.

Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.4 Public Hearing on General Plan Amendment for property located on a portion of the PG&E easement between Capitol Park and Capitol Expressway on a 3.2-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 Dwelling Units per Acre (DU/AC)) to Public Park and Open Space for property located on a portion of the PG&E easement between Capitol Park and Capitol Expressway on a 3.2-acre site. (Hans P. Hager and Pacific Gas & Electric Company, Owners /City of San José, Applicant). CEQA: San Jose 2020 General Plan Environmental Impact Report, Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend Public Park and Open Space on 0.2 acre and Private Open Space on 3.0 acres (6-0-1; Levy Absent).

SNI: East Valley/680 Communities.

GP03-05-03 – District 5

Staff and Planning Commission recommendation was tentatively approved.

Vote: 11-0-0-0.

2.5 Public Hearing on General Plan Amendment for property located at the east side of McLaughlin Avenue, approximately 100 feet northerly of Candia Drive on a 0.8-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 Dwelling Units Per Acre (DU/AC)) to Medium Density Residential (8-16 DU/AC) for property located at the east side of McLaughlin Avenue, approximately 100 feet northerly of Candia Drive on a 0.8-acre site. (Dhillon Bhupindar S. Trustee & et. al., Owner/Applicant). CEQA: Mitigated Negative Declaration, File No. GP03-07-01.

Director of Planning, Building and Code Enforcement recommends approval on expanded 2.5-acre site. Planning Commission recommends no change to the General Plan (5-0-1-1; Levy Absent, Dhillon abstaining).

(Continued from 4/15/03 – Item 1.8)

GP 03-07-01 – District 7

Dropped.

2 PUBLIC HEARINGS

2.6 Public Hearing on General Plan Text Amendment request to add new Transportation/Aviation Policy on Moffett Field.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the text to add a new Transportation/Aviation policy recognizing and supporting the federal government's continued operation and development of Moffett Field in a manner consistent with City and regional objectives of future civil aviation use. (City Council, Applicant). CEQA: San José 2020 General Plan Environmental Impact Report, Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1; Levy Absent).

GP 03-T-07 – Citywide

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Yeager.

3 RECONSIDERATIONS

4 FINAL ACTIONS

4.1 Adoption of a resolution approving the tentative City Council actions regarding the Summer 2003 General Plan amendments.

Recommendation: Adoption of a resolution finalizing the tentative actions made by the City Council on the Summer 2003 Hearing of the General Plan and amending the General Plan in conformance herewith.

Resolution No. 71717 adopted.

Vote: 10-0-1-0. Absent: Yeager.

- **Open Forum**

None.

- **Adjournment**

The Council of the City of San José adjourned at 9:31 p.m.